

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Karin Butz et al.  
Title: LIVIN-SPECIFIC siRNAs FOR  
THE TREATMENT OF  
THERAPY-RESISTANT  
TUMORS  
Appl. No.: 10/553,355  
International Filing Date: October 14, 2005  
371(c) Date:  
Examiner: Unassigned  
Art Unit: Unassigned  
Confirmation Number: 6994

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first official action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

The documents listed on the PTO/SB/08 were cited in the specification, and the European Search Report for parent international application no. PCT/EP2004/003974, a copy of the European Search Report was filed with the U.S. Patent Office on October 14, 2005, along with the above National Phase Application.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date July 5, 2006

By Michele M. Simkin

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5538  
Facsimile: (202) 672-5399

Michele M. Simkin  
Attorney for Applicant  
Registration No. 34,717

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: July 5, 2006  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				<b>Application Number</b>	10/553,355
				<b>Filing Date</b>	October 14, 2005
				<b>First Named Inventor</b>	Karin Butz
				<b>Group Art Unit</b>	Unassigned
				<b>Examiner Name</b>	Unassigned
				<b>Attorney Docket Number</b>	085449-0180
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A1		WO 00/77201	A1	Gomes et al.	12/21/2000		
	A2		WO 03/018763	A2	Testa et al.	03/06/2003		
	A3		WO 03/106974	A2	Deveraux et al.	12/24/2003		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A4	Fire et al., "Potent and Specific Genetic Interference by Double-Stranded RNA in Caenorhabditis Elegans," <u>Letters to Nature</u> , Feb. 1998, Vol. 391, pgs. 806-811.	
	A5	Elbashir et al., "Duplexes of 21-Nucleotide RNAs Mediate RNA Interference in Cultured Mammalian Cells," <u>Letters to Nature</u> , 2001, Vol. 411, pgs. 494-498.	
	A6	Williams et al., "Identification and Validation of Genes Involved in the Pathogenesis of Colorectal Cancer Using cDNA Microarrays and RNA Interference," <u>Clinical Cancer Research</u> , Mar. 2003, Vol. 9, pgs. 931-946.	
	A7	Brummelkamp et al., "A System for Stable Expression of Short Interfering RNAs in Mammalian Cells," <u>SCIENCE</u> , Apr. 2002, Vol. 296, pgs. 550-553.	
	A8	Sui et al., "A DNA Vector-Based RNAi Technology to Suppress Gene Expression in Mammalian Cells," <u>Proc. Natl. Acad. Sci.</u> , 2002, Vol. 99, pgs. 5515-5520.	
	A9	Lee et al., "Expression of Small Interfering RNAs Targeted Against HIV-1 rev Transcripts in Human Cells," <u>Nature Biotechnology</u> , May 2002, Vol. 19, pgs. 500-505.	
	A10	Morris et al., "Translocating Peptides and Proteins and their use for Gene Delivery," <u>Curr. Opin. Biotech.</u> , 2000, Vol. 11(5), pgs. 461-466.	

Examiner Signature	Date Considered	
--------------------	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.